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HOUSE BILL 1094

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Skinner, Schual-Berke, Cody, Campbell, Conway, Ruderman, Dunshee, Alexander, Edmonds, Kenney, Edwards and Kagi

Read first time 01/16/2001. Referred to Committee on Health Care.

1 AN ACT Relating to the surrender of a health care professional's  
2 license; and amending RCW 18.130.160.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.130.160 and 1993 c 367 s 6 are each amended to read  
5 as follows:

6 Upon a finding, after hearing, that a license holder or applicant  
7 has committed unprofessional conduct or is unable to practice with  
8 reasonable skill and safety due to a physical or mental condition, the  
9 disciplining authority may issue an order providing for one or any  
10 combination of the following:

11 (1) Revocation of the license;

12 (2) Suspension of the license for a fixed or indefinite term;

13 (3) Restriction or limitation of the practice;

14 (4) Requiring the satisfactory completion of a specific program of  
15 remedial education or treatment;

16 (5) The monitoring of the practice by a supervisor approved by the  
17 disciplining authority;

18 (6) Censure or reprimand;

1 (7) Compliance with conditions of probation for a designated period  
2 of time;

3 (8) Payment of a fine for each violation of this chapter, not to  
4 exceed five thousand dollars per violation. Funds received shall be  
5 placed in the health professions account;

6 (9) Denial of the license request;

7 (10) Corrective action;

8 (11) Refund of fees billed to and collected from the consumer;

9 (12) A surrender of the practitioner's license, certification, or  
10 registration in lieu of other sanctions.

11 Any of the actions under this section may be totally or partly  
12 stayed by the disciplining authority. In determining what action is  
13 appropriate, the disciplining authority must first consider what  
14 sanctions are necessary to protect or compensate the public. Only  
15 after such provisions have been made may the disciplining authority  
16 consider and include in the order requirements designed to rehabilitate  
17 the license holder or applicant. All costs associated with compliance  
18 with orders issued under this section are the obligation of the license  
19 holder or applicant.

20 The licensee or applicant may enter into a stipulated disposition  
21 of charges that includes one or more of the sanctions of this section,  
22 but only after a statement of charges has been issued and the licensee  
23 has been afforded the opportunity for a hearing and has elected on the  
24 record to forego such a hearing. The stipulation shall either contain  
25 one or more specific findings of unprofessional conduct or inability to  
26 practice, or a statement by the licensee acknowledging that evidence is  
27 sufficient to justify one or more specified findings of unprofessional  
28 conduct or inability to practice. The stipulation entered into  
29 pursuant to this subsection shall be considered formal disciplinary  
30 action for all purposes.

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